

Chapter 103F, HRS

Purchases of Health and Human Services

Chapter 103D, HRS	Chapter 103F, HRS
The Procurement Code	Purchases of Health and Human Services
Goods, services (that are not health & human services) and construction.	Health and human services.
Applies to state and county agencies.	Applies to state agencies

# Chapter 103F, HRS Has 5 Methods of Procurement

- Competitive (RFP)
- Restrictive (Sole Source)
- Treatment
- Crisis
- Small Purchase

Secondary purchases may only be made in conjunction with the competitive (RFP) method of procurement...

# **Secondary Purchases** Enable purchasing agencies to coordinate purchases of health and human services by combining their requirements as primary and secondary purchasers. What are Secondary Purchases? A secondary purchase is a purchase made by one state agency utilizing the competitive procurement of another state agency. All this and Efficiency, too... State purchasing agencies issue a single Applicants submit a single proposal.

# Primary and Secondary Purchasers The primary purchaser is the pu requiring the largest share of th ■ The secondary purchaser is the requiring the lesser share of the

## Duties of the Primary & Secondar

### **Primary**

Comply with procedures and requirements of a competitive purchases of services.

# Seco

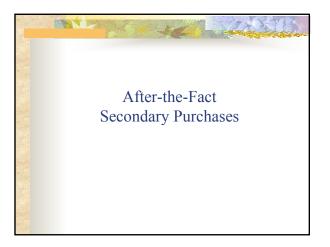
- Coopera reasonal the prim purchas
- Request necessar

The primary and secondary put execute separate contra

# Two Kinds of Secondary P

- Planned Secondary Purchase When two or more purchasing agen procure the same or substantially the and human services they may issue
- After-the-Fact Secondary Pur A purchasing agency may purchase competitively procured service (or p service) that has been procured by a purchasing agency.

urchaser le services.				
purchaser e services.				
e services.				
	]			
ry Purchaser				
ondary				
ates with the ble requests of				
nary ser. ts approvals as				
ry. rchasers cts.				
cts.				
STANLOR.	l			
Purchase				
urchase				
e same health a single RFP.				
rchase				
part of the another				



# After-the-Fact Secondary Purchase

# After-the-Fact Secondary Purchase: How Do I Determine Substantially the Same? Start by asking 3 questions: 1. Would the proposed purchase have affected a potential applicant's decision to respond to the RFP? 2. Would the difference have affected how an applicant ranked or was scored? 3. If the primary purchaser were making these changes in their contract would it constitute a fundamental change, a change so great that a reasonable purchasing agency would in light of all circumstances re-procure the required services instead of amending an existing contract?

# After-the-Fact Secondary Purchase: Procedures

■ See Handout on Step-by Step Procedures

Planned Secondary Purchases

# Planned Secondary Purchases

- To be used when it is anticipated that the service will be needed.
- The secondary purchasers share of the services must be less than the primary purchasers share.

# Planned Secondary Purchase Procedure in a Nutshell

- Used when the secondary purchaser knows they will need the service before the RFP is issued by the primary purchaser.
- The secondary purchaser consults with the primary purchaser to determine if the services are the same or substantially the same.
- They agree to issue an RFP with a planned secondary purchase.
- The RFP is developed with the secondary purchaser's requirements included.

# Planned Secondary Purchases Procedures

See Handout on Step-by Step Procedures

	_
	_
	_
	_
	_
	_
	—
	_
	_
	_
	—
	_
	_
	_
	_
	_
	—

# Secondary Purchases A Summary

### Planned

- Used when you know you will need the service.
- Quantity of services purchased by secondary purchaser must less than the primary purchaser.

### After-the-Fact

- Used when an unanticipated need arises.
- Quantity of services purchased by secondary purchaser must be no grater than 30% of the total services purchased by the primary and secondary purchasers.

